

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM CLARK,	:	
	:	
Plaintiff	:	
	:	CIVIL NO. 1:CV-01-0764
vs.	:	
	:	(Judge Caldwell)
MARTIN HORN, <u>et al.</u> ,	:	
	:	
Defendants	:	

O R D E R

AND NOW, this 9th day of June, 2003, it is ordered that defendants' motions for summary judgment (docs. 81 and 82) will be held in abeyance while the Court attempts to seek pro bono counsel to represent Clark in this matter. To that end, Clark's Motion for Appointment of Counsel (doc. 74), is GRANTED CONDITIONALLY. If counsel cannot be found to represent Clark, the conditional order for appointment of counsel will be revoked.¹

/s/William W. Caldwell
William W. Caldwell
United States District Judge

¹ In this regard, it must be emphasized that Clark has neither a constitutional nor statutory right to appointed counsel, Parham v. Johnson, 126 F.3d 454, 456-57 (3d Cir. 1997), and while the Court will seek to appoint counsel for him pursuant to its authority under 28 U.S.C. ¶ 1915(e)(1), it does not have the authority to compel counsel to take the case. Accordingly, Clark is advised that if the Court is unable to appoint counsel in this matter, he will be required to proceed with his case without counsel.